IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 539 OF 2007

SHRI SUHAS KASHINATH BAHADDARPURE .. PETITIONER.

VS.

THE COMMISSIONER, PIMPRI CHINCHWAD

MUNICIPAL CORPORATION AND ANR. .. RESPONDENTS.

MR. JAYDEEP S. DEO FOR THE PETITIONER.

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CORAM : A.P.DESHPANDE, J.

DATE : February 2, 2007.

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P.C.

1. The present petitioner has filed a complaint, ULP No. 25 of 2006 before the Industrial Court, Pune, making a grievance in regard to seniority vis-a-vis the complainant and the Respondent NO.2 The Complainant and the Respondent were appointed as Samaj Sevak on 15.7.1998. As the date of entry in the cadre is the same, the criteria to determine the

seniority would be senior in age. As the respondent No. 2 was found to be senior in age to the petitioner, the respondent no.2 was shown at Sr.No.1 in the seniority list; whereas the petitioner was placed at Sr.No.2. Aggrieved by this placement in the seniority list at Sr.No.2, the above referred complaint has been filed, which is pending adjudication. Pending the complaint, an application seeking interim relief was filed and rejection of the same has given rise for filing the instant writ petition.

2. Perused the Order passed by the Industrial Court. The same does not suffer from any patent illegality requiring interference in exercise of the writ jurisdiction. It is obvious that if and in case the Respondent NO.2 is granted a further promotion treating him to be the senior, the same would be subject to decision of the complaint. Hence, the writ petition is summarily dismissed.

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[A.P.DESHPANDE, J.]